

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SHANE KYLE TALKSABOUT,

Defendant.

CR-10-79-GF-BMM-01

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter January 25, 2017. (Doc. 69.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on January 24, 2017. (Doc. 69 at 3.) Talksabout admitted that he violated the conditions of his supervised release. The violations prove serious and warrant revocation of Talksabout's supervised release. Judge Johnston has recommended that the Court revoke Talksabout's supervised release and commit Talksabout to the custody of the Bureau of Prisons until April 17, 2017, with no supervised release to follow. *Id.* at 4.

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Talksabout's violations of his conditions represent a serious breach of the Court's trust. A sentence of custody until April 17, 2017, with no supervised release to follow represents a sufficient, but not greater than necessary sentence.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 69) is ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant Shane Kyle Talksabout be sentenced to custody until April 17, 2017, with no supervised release to follow.

DATED this 9th day of February, 2017.



Brian Morris
United States District Court Judge